

REMARKS

Claims 1-3 are pending in the present application and are rejected. Reconsideration in view of the following remarks is respectfully requested. Applicant respectfully submits that this response is fully responsive to the Office Action dated **September 13, 2004**.

Applicant's Response to the Rejections under 35 U.S.C. § 103

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Ng** (U.S. Patent No. 5,445,347) in view of **Smith** et al. (U.S. Patent No. 5,931,877).¹ The Office Action argues that **Ng** teaches requesting parts data information from a remote database and interactively communicating. The Office Action further relies on **Smith** to teach storing of information in an intermediate location at the user's site.

Ng teaches a Network Status Interface Unit (NSIU) 22 located in a station 24 which requests data from a Status Monitor and Diagnostic Unit (SMDU) 12 on a train engine 14 or train car 16 and transmits this data to a Maintenance Control Center (MCC) 28.

The NSIUs transmit control signals which poll the SMDUs and cause the SMDUs to transmit data signals representing the operational status of the cars to the NSIUs...The NSIUs relay the data signals to a maintenance control center... Column 2, lines 20-27.

Thus, the SMDUs 12 are polled for data, which is then transmitted indirectly back to the MCC. Furthermore, the database in **Ng** is contained in MCC 28. See Figure 5; column 2, lines 31-33; column 8, lines 17-25. Therefore, in **Ng**, the SMDU 12 located on a train engine 14 or

¹ On the Office Action Summary Form (PTOL-326), Claims 1-3 are rejected. However, in the text of the Office Action the Examiner rejects claims 2 and 3 based on **Ng** and **Smith**, and claim 3 again based on **Ng**, **Smith** and Official Notice. It is assumed that the Examiner actually intended to reject claims 1 and 2 based on **Ng** and **Smith**, and claim 3 based on **Ng**, **Smith** and Official Notice.

train car 16 receives the request for part information, and the MCC 28 comprising the database receives the part information.

However, in the present invention, for example, terminal 4, which comprises part information requesting means 13, storage means 14, and retrieval means 15, requests information from part database 1. The part information is then received by the terminal. See page 3, lines 15-20. Thus, in the present invention, the database 1 receives the request for part information and the terminal 4 requests and receives the part information.

The presently disclosed invention is patentably distinct from Ng. Claim 1 requires a system in which the terminal requests the part information from the database, and the part information is then received by the terminal. However, Ng discloses a different system, in which the NSIU requests the part information from the train, and the part information is received by the MCC (which contains the database).

Therefore, Applicant believes the claimed invention to be patentably distinct from that disclosed in Ng and Smith, since neither of these references, singly or in combination, disclose or fairly suggest the features of claim 1 concerning *said terminal comprises part information requesting means for requesting said part database to transmit the part information*.

With regard to claim 2, while Ng may disclose that the NSIUs transmit control signals which poll the SMDUs, the NSIUs fail to transmit information including identification

information on the individual production machines, as called for in claim 2. Applicant respectfully traverses the rejections of claim 1 and 2 based on **Ng** in view of **Smith**.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over **Ng** in view of **Smith** in further view of Official Notice. The Office Action has taken Official Notice as to the obviousness of the use of selection menus. However, it is respectfully submitted that the Examiner has failed to appreciate that claim 3 calls for the machine selection menu with the plurality of pieces of identification information to be displayed on the terminal so that a production machine can be selected from the displayed selection menu.

Moreover, the Office Action has failed to provide any motivation with regard to why one of ordinary skill in the art would modify the NSIUs of **Ng** to include a machine selection menu, as called for in claim 3, since as discussed above, the NSIUs merely transmit control signals which poll the SMDUs. Applicant thus respectfully traverses the rejection of claim 3 based on **Ng**, **Smith**, and Official Notice.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone Applicant's undersigned attorney.

Response under 37 C.F.R. §1.111
Attorney Docket No. 010734
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If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

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